

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

<b>LEROY RILEY,</b>	)	
<b>Plaintiff</b>	)	
<b>v.</b>	)	<b>C.A. No. 05-172 ERIE</b>
	)	<b>District Judge McLaughlin</b>
<b>CHARLES M. SIMPSON, et al.,</b>	)	<b>Magistrate Judge Baxter</b>
<b>Defendants.</b>	)	

**ORDER**

AND NOW, this 6<sup>th</sup> day of March, 2006;

IT IS HEREBY ORDERED that Plaintiff's "Motion to Compel Discovery Plaintiff First Request for Production of Documents" [Document # 10] is DENIED as improper. If Plaintiff wishes to conduct discovery, he must do so himself by serving discovery requests directly on the Defendants from whom he seeks to obtain the desired information, in accordance with Rule 26 of the Federal Rules of Civil Procedure.

IT IS FURTHER ORDERED that the parties are allowed ten (10) days from this date to appeal this order to a district judge pursuant to Local Rule 72.1.3 B. Failure to appeal within ten (10) days may constitute waiver of the right to appeal.

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S/Susan Paradise Baxter  
SUSAN PARADISE BAXTER  
Chief U.S. Magistrate Judge